

REMARKS

This Reply and Amendment is intended to be fully responsive to the Office Action dated November 27, 2000.

Claim Status

Claims 1-38 stand rejected. On entry of this Reply and Amendment, Claims 1-38 will be cancelled, and Claims 39-70 will be added. The status for all claims in this Reissue Application is shown in TABLE I (attached). Accordingly, Claims 39-70 will be pending in this Reissue Application.

Telephonic Interview

The Applicants thank the Examiner for conducting a telephonic interview with the Applicants' representative (Christopher M. Turoski, Registration No. 44,456) on January 23, 2001. During the interview, U.S. patent No. 5,875,918 ("Sheffler et al.") was discussed. The Examiner indicated that claims directed to an "insert seal" would likely receive favorable consideration.

Claim Amendments

Claims 1-38 have been cancelled, and Claims 39-70 have been added to recite in proper form subject matter the Examiner has indicated would be "allowable" (and to present the claim sets in an orderly format and arrangement). Specifically, independent Claims 39 and 51 each recite "a housing," and independent Claim 61 recites "an outer body," as indicated by the Examiner.

New Claims 39-45, 51-56 and 61-67 are based on Claims 1-7, 8-13 and 14-20 (respectively) of issued U.S. Patent No. 5,842,486 (the '486 patent), which is the basis for this Reissue Application.¹ The arrangement, origin and support for new Claims 39-70 is summarized in TABLE I (attached). No new matter has been added.

¹ Certain new claims presented in this Reply and Amendment are intended to broaden the scope of certain claim elements that issued in the '486 patent. 35 U.S.C. § 251.

Declaration Under 37 C.F.R. § 1.63

In Section 1 of the Office Action, the Examiner stated that the Supplemental Declaration filed October 26, 2000 was defective. In Section 2 of the Office Action, the Examiner rejected Claims 1-38 under 35 U.S.C. § 251 as being based on a defective reissue Declaration.

The Applicants have provided a Supplemental Declaration that identifies at least one error upon which this Reissue Application is based as required by the Examiner. "The error provision of 35 U.S.C. § 251 is to be liberally construed to permit correction of defects." All errors corrected in this Reissue Application arose without any deceptive intent by the Applicants. Accordingly, the Supplemental Declaration provided with this Reply and Amendment is not defective, and the rejection to Claims 1-38 under 35 U.S.C. § 251 has been overcome.

Claim Rejections - 35 U.S.C. § 112 ¶ 1

In Section 4 of the Office Action, the Examiner rejected Claims 6-14 and 23-36 under 35 U.S.C. § 112 ¶ 1 as containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.²

Claims 6, 8, 12, 14, 23 and 35-36 have been cancelled without prejudice. Accordingly, the rejection to Claims 6-14 and 23-36 under 35 U.S.C. § 112 ¶ 1 has been overcome. Support for new Claims 39-70 is shown in TABLE 1.

Claim Rejections - 35 U.S.C. § 112 ¶ 2

In Section 6 of the Office Action, the Examiner rejected Claims 14-20 and 23-36 under 35 U.S.C. § 112 ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as the invention.

Claims 14, 25 and 35-36 have been cancelled without prejudice. Accordingly, the rejection to Claims 14-20 and 23-36 under 35 U.S.C. § 112 ¶ 2 has been overcome. New Claims 39-70 are intended to comply with 35 U.S.C. § 112 ¶ 2.

² The Applicants traverse this rejection.

Claim Rejections - 35 U.S.C. §§ 102 and 103

In Section 7 of the Office Action, the Examiner rejected Claims 1, 8, 21-23, 35 and 37-38 under 35 U.S.C. §§ 102(a) and 102(e) as being anticipated by U.S. Patent No. 5,875,918 ("Sheffler et al."). In Section 10 of the Office Action, the Examiner rejected Claims 2-7, 9-20, and 24-34 under 35 U.S.C. § 103(a) as being obvious over Sheffler et al., a single reference. In Section 10 of the Office Action, the Examiner rejected dependent Claims 9-13 and 16-17 under 35 U.S.C. § 103(a) as being obvious over Sheffler et al. in view of U.S. Patent No. 4,454,889 ("Contreras, Sr."). In Section 12 of the Office Action, the Examiner rejected dependent Claims 33-34 under 35 U.S.C. § 103(a) as being obvious over Sheffler et al. in view of U.S. Patent No. 4,568,519 ("Seidler et al.").

In response to the rejection of Claims 1-38 under 35 U.S.C. §§ 102 and 103, the Applicants make this statement:

Claims 1-38 have been cancelled without prejudice. New independent Claim 39 (and corresponding new dependent Claims 40-50), new independent Claim 51 (and corresponding new dependent Claims 52-60), and new independent Claim 61 (and corresponding new dependent Claims 62-70) have been added to each recite in proper form subject matter the Examiner indicated would be "allowable" (i.e. patentable over the cited references). By canceling and adding such claims, the Applicants wish to make it unmistakably clear that they do not agree to or acquiesce in the rejections to Claims 1-38 and/or agree with the Examiner's view of the scope and the content (i.e. disclosure) of Sheffler et al., Contreras, Sr. and/or Seidler et al.³ The Applicants have cancelled and added such claims only to obtain prompt allowance of claims reciting subject matter indicated as allowable by the Examiner.

Accordingly, the Applicants request favorable consideration of new independent Claim 39 (and corresponding new dependent Claims 40-50), new independent Claim 51 (and corresponding new dependent Claims 52-60), and new independent Claim 61 (and corresponding new dependent Claims 62-70).

* * *

The Applicants respectfully submit that each outstanding objection and rejection to the pending claims has been overcome, and the Reissue Application is in a

³ At this time, the Applicants maintain that such claims recite subject matter patentable over the cited references.

condition for allowance. On entry of this Reply and Amendment, Claims 1-38 will be cancelled, and new Claims 39-70 will be pending in this Reissue Application. The Applicants request reconsideration and allowance of pending Claims 39-70.

The Examiner is invited to telephone the undersigned if such would advance the prosecution of the Reissue Application.

Respectfully submitted,

Date 2-27-2001

By Christopher M. Turoski

Christopher M. Turoski
Attorney for Applicants
Registration No. 44,456

FOLEY & LARDNER
Firststar Center
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367
Telephone: (414) 297-5654
Telecopy: (414) 297-4900

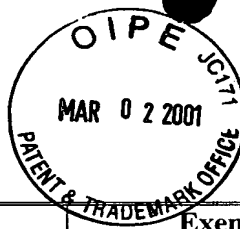


TABLE I

Claim(s)	Status	Corresponding Corresponding claim in '486 patent	Exemplary Support for claim
1-38	Cancelled	N/A	N/A
39	New/Pending	1	col. 3, ll. 44-47 and FIGURE 2 of '486 patent
40	New/Pending	2	Claim 2 of '486 patent
41	New/Pending	3	Claim 3 of '486 patent
42	New/Pending	4	Claim 4 of '486 patent
43	New/Pending	5	Claim 5 of '486 patent
44	New/Pending	6	Claim 6 of '486 patent
45	New/Pending	7	Claim 7 of '486 patent
46	New/Pending	N/A	col. 1, ll. 17-18 and FIGURE 2 of '486 patent
47	New/Pending	N/A	col. 3, ll. 44-47 and FIGURE 2 of '486 patent
48	New/Pending	N/A	col. 3, ll. 65-66 and FIGURE 2 of '486 patent
49	New/Pending	N/A	col. 5, ll. 29-31 and FIGURE 8 of '486 patent
50	New/Pending	N/A	col. 5, ll. 1-7 and FIGURE 7 of '486 patent
51	New/Pending	8	col. 3, ll. 44-47 and FIGURE 2 of '486 patent
52	New/Pending	9	Claim 9 of '486 patent
53	New/Pending	10	Claim 10 of '486 patent
54	New/Pending	11	Claim 11 of '486 patent
55	New/Pending	12	Claim 12 of '486 patent
56	New/Pending	13	Claim 13 of '486 patent
57	New/Pending	N/A	col. 1, ll. 17-18 and FIGURE 2 of '486 patent
58	New/Pending	N/A	col. 3, ll. 44-47 and FIGURE 2 of '486 patent
59	New/Pending	N/A	col. 3, ll. 65-66 and FIGURE 2 of '486 patent
60	New/Pending	N/A	col. 5, ll. 1-7 and FIGURE 7 of '486 patent
61	New/Pending	14	Claim 5 of the '486 patent
62	New/Pending	15	Claim 15 of '486 patent
63	New/Pending	16	Claim 16 of '486 patent
64	New/Pending	17	Claim 17 of '486 patent
65	New/Pending	18	Claim 18 of '486 patent
66	New/Pending	19	Claim 19 of '486 patent
67	New/Pending	20	Claim 20 of '486 patent
68	New/Pending	N/A	col. 1, ll. 17-18 and FIGURE 2 of '486 patent
69	New/Pending	N/A	col. 3, ll. 44-47 and FIGURE 2 of '486 patent
70	New/Pending	N/A	col. 5, ll. 1-7 and FIGURE 7 of '486 patent